

**9-34. Administrative Enforcement Authority Under Part C (1200 TN 350 9-34)**

**1. AUTHORITY.** Pursuant to Section 1423(c) of the Safe Drinking Water Act (SDWA): to issue, withdraw or amend proposed administrative orders for compliance or penalties, or both; and to issue, withdraw, or amend final orders if no hearing is requested.

**2. TO WHOM DELEGATED.** Director, Enforcement and Compliance Assurance Division (ECAD).

**3. LIMITATIONS.** Director, ECAD, must consult with the Regional Counsel prior to exercising any of the above authorities.

**4. REDELEGATION AUTHORITY.**

- a. This authority may be redelegated to the branch chief level and may not be redelegated without formal amendment.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

**5. ADDITIONAL REFERENCES.**

- a. See the Chapter 9 Delegations entitled:
  - (1) "Civil Judicial Enforcement Actions";
  - (2) "Emergency Administrative Powers"; and
  - (3) "Issuance of Administrative Orders under Section 1423(c)".
- b. Section 1423(a) and (c) of the SDWA.
- c. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.
- d. Guidance on UIC Administrative Order.

**6. SUPERSESSION.** Delegations Manual, SDWA, Regional Delegation 9-34. Administrative Enforcement Authority Under Part C, 1200 TN RIII 138 (October 26, 2000).

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Cosmo Servidio